



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION

FOR THE STATE OF OKLAHOMA

for the

December 8, 2016

Regular Public Meeting

MINUTES OF THE MEETING OF THE WORKERS' COMPENSATION COMMISSION FOR THE STATE OF OKLAHOMA

The members of the Workers' Compensation Commission for the State of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on December 8, 2016.

Members present: Chairman Gilliland, Commissioner Liotta, and Commissioner Russell.

Others in attendance on behalf of the Commission: Kim Bailey, John Crittenden, Jay Cannon, Jennifer Reeves, and Tiffany Pratt.

Chairman Gilliland expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum and the Statement of Compliance with the Open Meeting Act was read. The meeting was called to order at approximately 1:30 p.m.

Approval of Minutes

Chairman Gilliland presented the minutes of public meetings for the November 16, 2016 and November 29, 2016 for approval.

Motion: Commissioner Liotta moved to approve the minutes of the public meeting.

Second: Commissioner Russell.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

1. Proposed Approval of Independent Medical Examiners and Case Managers for the Commission

Title 85A O.S. § 112 requires the Workers' Compensation Commission to create, maintain and review a list of licensed physicians who shall serve as independent medical examiners (IME). Likewise, for case managers, 85A O.S. § 113 requires a list of qualified case managers be developed, maintained and periodically reviewed by the Commission. The Commission shall, to the best of its ability, include the most experienced and competent physicians in the specific fields of expertise utilized most often in the treatment of injured workers. The period of qualification shall be two (2) years. The Commission considered approving the list of physicians and case managers presented at the meeting that have been vetted by the Medical Director and recommended to have their applications approved or renewed.

Dr. Jay Cannon was recognized to report and recommended approval.

Motion: Commissioner Liotta moved to approve the proposed independent medical examiners and case managers.

Second: Commissioner Russell.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

2. Discussion and Consideration of Proposed Consolidation with Office of Management and Enterprise Services (OMES) Information Services Division (ISD)

The Commission considered approving the consolidated proposal of OMES ISD to centralize IT funds.

Jennifer Reeves was recognized to report and recommended not approving consolidation.

Motion: Chairman Gilliland moved to not approve proposed consolidation with OMES ISD.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

3. Consent Agenda for Travel Vouchers Currently Outstanding

85A O.S. §23 states any commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers.

Motion: Commissioner Liotta moved to approve the travel vouchers currently outstanding.

Second: Commissioner Russell.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

4. **Possible Executive Session for Confidential Communications Between the Commission and Its Attorneys Concerning District of Delaware Bankruptcy Case No. 11-13603, Involving Blitz U.S.A., Inc., a Former Self-Insured, Pursuant to Title 25 O.S. § 307(B)(4)**

Pursuant to 25 O.S. § 307(B)(4), an Executive Session was proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning pending District of Delaware Bankruptcy Case No. 11-13603, involving Blitz U.S.A., Inc., a former self-insured.

The Commission's counsel advised that public disclosure of the communications relating to this bankruptcy would seriously impair the ability of the Commission and their counsel to take appropriate action related to the ongoing bankruptcy proceeding and protect the Commission's interest.

Motion: Chairman Gilliland moved to determine that disclosure will seriously impair the ability of the Commission to take appropriate action in the ongoing district of Delaware bankruptcy proceeding case no. 11-13603, involving Blitz U.S.A., Inc. and protect the Commission's interest; and go into executive session for the purposes of discussing the pending bankruptcy of Blitz U.S.A., Inc. under §307(B)(4).

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

Vote to Reconvene in Open Session

Motion: Chairman Gilliland moved to reconvene in open session.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

Action from Executive Session

Motion: Chairman Gilliland moved to instruct counsel to take action as authorized in executive session.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

Announcements

The next Regular Meeting of the Commission is scheduled for January 19, 2017.

Adjournment

Motion: Chairman Gilliland moved to adjourn.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Russell, and Chairman Gilliland.

The motion carried.

Chairman Gilliland announced the meeting was adjourned.